

REMARKS

The Office Action of December 12, 2008 has been received and its contents carefully considered.

The present Amendment revises independent claim 8 (the sole independent claim in this application) to recite that the walls of the stress-relieving layer “are disposed in positions corresponding to the edges of the color-converting filters …”. It is respectfully submitted that the new wording of claim 8 avoids any indefiniteness that may previously have been present, so the objection to that claim in section 4 of the Office Action should be withdrawn. The Amendment also corrects a grammatical informality in claim 8.

Section 17 only “objects” to dependent claims 12-14. This identification of potentially allowable subject matter is noted with satisfaction. However, the present Amendment does not place this objected-to claims in independent form because the invention defined by independent claim 8 is believed to be allowable.

Sections 7-10 of the Office Action reject claim 8 for obviousness based on US patent 6,815,723 to Yamazaki et al (which will hereafter be called simply “Yamazaki” for the sake of convenient discussion) and US patent 6,611,108 to Kimura. The rejection is respectfully traversed for the reasons discussed below.

Section 7 of the Office Action alleges that most of the features recited in the claim 8 are disclosed in Yamazaki’s Figure 1B, but section 8 of the Office Action acknowledges that Yamazaki does not disclose an adhesive between the light-emitting device and the color-converting filters. Section 9 of the Office Action then draws attention to adhesive 4023 in Kimura’s Figure 9B, and sections 9 and 10 together conclude that it would have been obvious to use a similar adhesive to fill the unlabeled space between Yamazaki’s layer 33 and his filter layers 31a-d.

It is appropriate to interpret claim language as broadly as is reasonably possible during prosecution of an application. Some of the interpretations of Yamazaki’s Figure 1B that are advanced in section 7 of the Office Action, however, stray perilously close to the outer bounds of what is reasonable and possibly beyond the outer bounds. There is no need to belabor this point, though, since the creative interpretation of Yamazaki’s Figure 1B that

is set forth in section 7 of the Office Action makes the modification proposed in sections 9 and 10 impossible. The reason why will be explained below.

Section 7 identifies elements of the “organic light-emitting device” of claim 8 as ranging from Yamazaki’s un-numbered substrate to his layer 33. The Office Action then identifies elements of the “color-converting substrate” of claim 8 as including Yamazaki’s sealing substrate 30, his colorization layers 31b-d (presumably filters), and his buffer layer 32. But Yamazaki’s buffer layer 32 (allegedly corresponding to the stress-relieving layer of the color-converting substrate recited in claim 8) is located below Yamazaki’s protective film 33 (allegedly corresponding to the passivation layer of the “organic light-emitting device” recited in claim 8). This assertion is difficult to ascertain from Figure 1B of the reference, but is more clearly shown in Figure 1C. Furthermore, Yamazaki’s specification verbally confirms that his layer 32 is below his layer 33 in the passage at column 9 of the reference, lines 26-31.

The “color-converting substrate” recitation of claim 8 includes “adhesive that is disposed between the organic light-emitting device and the color-converting filters, and that bonds the organic light-emitting device and the color-converting filters together ...”. It is respectfully submitted that Kimura’s adhesive could not be used to bond together Yamazaki’s organic light-emitting device (as interpreted in the Office Action) and Yamazaki’s color-converting filters (again, as interpreted in the Office Action) because Yamazaki’s layer 33 extends between this alleged organic light-emitting device and his filters. That is, the intervening presence of Yamazaki’s layer 33 (the upper element of the “organic light-emitting device” recited in claim 8) and Yamazaki’s colorization layers 31b-d would prevent Yamazaki’s alleged “organic light-emitting device” from being bonded to his filters.

In summary, even if one accepts the extremely broad interpretation of the claim language that is advanced in the Office Action for the sake of argument, that interpretation leads to a difficulty that would prevent the modification proposed in the Office Action. Accordingly, the rejection of claim 8 should be withdrawn.

The remaining claims that have been rejected depend from claim 8 and recite additional limitations to further define the invention. They are therefore automatically patentable along with claim 8 and need not be further discussed.

For the foregoing reasons, it is respectfully submitted that this application is in condition for allowance. Reconsideration of the application is therefore respectfully requested.

Respectfully submitted,



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